

Committee Room,
Austin, Texas, January 10, 1907.
Hon. Geo. D. Neal, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 1, A bill to be entitled
"An Act appropriating the sum of one
hundred and ten thousand dollars to
pay the mileage and per diem of mem-
bers and per diem of officers and em-
ployes of the Thirtieth Legislature, and
declaring an emergency,"

And find the same correctly engrossed.
BARRETT, Acting Chairman.

FIFTH DAY.

Senate Chamber,
Austin, Texas,
Monday, January 14, 1907.

Senate met pursuant to adjournment.
Lieutenant Governor Geo. D. Neal in
the chair.

Roll call, quorum present, the follow-
ing answering to their names:

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Faust.

Prayer by the Chaplain, as follows:

"Almighty God, our Heavenly Father,
we, Thy humble servants come into Thy
presence and offer our prayers unto
Thee. Hear us for the sake of Thy dear
Son, our Savior. Out of Thine abundant
fullness supply all our needs. May we
during the labors of this day and this
week have grace and courage for every
duty. May Thy presence be our conso-
lation in every hour of temptation.
Bless us with the forgiveness of our
sins and at last bring us in great peace
to Thyself, through Jesus Christ, our
Lord. Amen."

Pending the reading of the Journal of
Friday, on motion of Senator Terrell,
the same was dispensed with.

See Appendix for petitions and memo-
rials.

BILLS AND RESOLUTIONS.

Senator Veale offered the following
resolution:

Resolved, That the Secretary of the
Senate be allowed postage for the session
not to exceed in amount \$2.50 per month
to be paid out of the contingent expense
fund.

The resolution was read and adopted.

Senator Chambers offered the follow-
ing resolution:

Be it resolved by the Senate of the
State of Texas, That the President of
the Senate is hereby authorized to ap-
point Henry Jackson as porter, whose
duties shall be in addition thereto as
regular porter to look after the cloak
and hat room and attend to bootblack
stand and who shall receive as compen-
sation the sum of \$2 per day.

The resolution was read and adopted,
and

The Chair declared the appointment
of the porter provided for by the resolu-
tion.

Senator Kellie offered the following
resolution:

Resolved, That the Assistant Sergeant-
at-Arms shall every day have the porters
collect up the newspapers left on desks
by Senators and send same to the Con-
federate Home.

(Signed) KELLIE,
PAULUS.

Senator Murray offered an amendment
to the resolution, as follows:

Amend by making it read out of waste
basket.

The amendment was adopted, and

The resolution was adopted.

Senator Terrell offered the following
resolution:

Resolved, That four hundred copies of
the Senate Record be printed each morn-
ing and that one hundred and fifty copies
of same be delivered to the House of
Representatives.

The resolution was adopted.

Senator Holsey offered the following
resolution:

Amend the Rules of the Senate by
striking out Rule No. 88, and inserting
lieu thereof the following:

Rule 88. That persons hereinafter
named and none other, shall be admitted
to the Senate Chamber while the Senate
is in session, viz.:

The members and employes of the
Senate, Representatives and employes of
the House of Representatives, the Gov-
ernor and his private secretary, Lieuten-

ant Governor and officers of the General State Government, the President and Vice President of the United States, United States Senators and members of Congress, Governors of other States; the heads of the departments, judges of the Supreme Court and Courts of Civil and Criminal Appeals.

2. Reporters of newspapers shall be assigned appropriate and convenient seats in the Senate by the direction of the President.

3. Provided, that no newspaper reporter, or any person whomsoever, who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be admitted upon the floor of the Senate or the rooms leading thereto when the Senate is in session, nor shall any newspaper reporter whose salary or compensation is paid in whole or in part by any person, corporation, firm or association other than the paper or papers for which he reports, be admitted into the hall or the rooms leading thereto when the Senate is in session.

4. It shall not be in order for the President to entertain a request, motion or resolution for the suspension of this rule or to present from the Chair the request of any member for unanimous consent.

5. It shall be the duty of the Sergeant-at-Arms and his assistant to clear the Senate Chamber of all persons not entitled to the privileges thereof five minutes before the hour of meeting.

6. Provided, that this rule shall not apply to persons who are invited to address the Senate when in session, nor shall it be construed to prevent any citizen from appearing before any of the committees of the Senate when in session; and provided further, that this rule shall not apply during the inauguration of the Governor and other public ceremonies provided for by resolution of the Senate.

On the question of adopting the resolution, Senator Terrell made a point of order that the resolution sought to change the Rules of the Senate and the same was sustained by the Chair.

Senator Holsey then gave notice that he would offer this resolution tomorrow.

BILLS.

By Senator Veale:

Senate bill No. 49, A bill to be entitled "An Act to amend Sections 1 and 2, Chapter 71, of the Acts of the Twenty-eighth Legislature of the State of Texas, being an act to amend Section 1 of

Chapter 24 of the Acts of the Twenty-seventh Legislature of the State of Texas, being an act to amend Section 1, Chapter 28, of an Act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, and being an act to amend Section 1, Chapter 23, of the Acts of the Twenty-ninth Legislature of the State, approved by the Governor on March 9, A. D. 1905, entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said county, viz.: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said chapter,' so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Caldwell, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter,' and to provide for the holding of an election for the purpose of enabling the freeholders of such counties, or subdivisions thereof, as may have adopted by said law, to repeal the same, so as to place Brown, Blanco, Coleman, Callahan, Franklin, Gillespie, Hood, Llano, Jones, Jack, Scurry, Somervell, Taylor and Wilbarger under the provisions of said chapter and to exempt therefrom the counties of Bee, Calhoun, Jackson, Montgomery, Trinity, Victoria and Walker; and to provide for the holding of an election for the purpose of enabling the freeholders of such counties, or subdivisions thereof as may have adopted said law, to repeal the same."

Read first time and referred to Judiciary Committee No. 1.

By Senator Mayfield:

Senate Bill No. 50. A bill to be entitled "An Act making it unlawful to deal in futures, post or publish future quotations, permit the use of property for such purpose, furnish telegraph or telephone messages relative to futures, permit telegraph or telephone wires, instruments or equipments to be used for transmitting or receiving such messages,

or to remain in any place where such business is transacted, and defining such offenses and prescribing penalties therefor and procedure in trials of such offenses, and to prohibit by writs of injunction the use of any property prohibited by any provisions of this act."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Hudspeth:

Senate bill No. 51, A bill to be entitled "An Act to preserve and protect the wild game, wild birds, wild fowl and fish of the State, to provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws in conflict herewith."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Hudspeth and Green:

Senate bill No. 52, A bill to be entitled "An Act to define the duties of railroad companies in this State with respect to shipping live stock, and to require that they promptly furnish cars for such shipments, and fix penalties for failure of such duty."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Looney:

Senate Bill No. 53, A bill to be entitled "An Act denouncing as a nuisance any place, room, or building, in any county, justice precinct, town, city or such subdivision of a county as may be designated by the commissioners court of said county, in which the sale of intoxicating liquors has been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquors in violation of law; also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State, or any citizen thereof, the use or contemplated use or threatened use of any such place, room or building, or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith for any such illegal purpose."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Green:

Senate bill No. 54, A bill to be entitled "An Act to provide for the punishment of persons responsible for or contributing to the delinquency or neglect and dependency of children."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Griggs and Masterson:

Senate bill No. 55, A bill to be entitled "An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses, and make other improvements for the purpose of drainage; to order and hold elections for the purpose of voting on drainage propositions and authorizing the issuance of bonds and levy of tax, and to issue bonds in payment for such drainage improvements and the maintenance thereof, and to levy and to collect taxes for the payment of such bonds, the appointing of drainage commissioners and all other necessary officers of such drainage districts for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such drainage districts and authorizing the drainage commissioners to acquire by purchase, gift or grant, for such district, title to any right of way and other property, and generally authorizing the county commissioners court and drainage commissioners to do all things necessary for the establishment and maintenance of such districts according to the provisions of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time, and referred to Committee on Internal Improvements.

By Senator Masterson:

Senate bill No. 56, A bill to be entitled "An Act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections and experiments by authorized persons."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Murray:

Senate bill No. 57, A bill to be entitled "An Act changing the official title of Fish and Oyster Commissioner to Fish, Oyster and Game Commissioner, supplementing his salary, authorizing him to

appoint assistants, providing for hunting license, providing for the protection and propagation of wild game, wild birds and fowls, providing for the enforcement of all game laws and providing penalties for the violation thereof."

Read first time and referred to Judiciary Committee No. 2.

By Senator Terrell:

Senate bill No. 58, A bill to be entitled "An Act to amend Article 21 of Title IV of the Revised Civil Statutes of Texas, and to create the Sixth Supreme Judicial District of Texas, and provide for the organization of a Court of Civil Appeals within and for the Sixth Supreme Judicial District of Texas."

Read first time and referred to Committee on Judicial Districts.

By Senator Green:

Senate bill No. 59, A bill to be entitled "An Act to define 'delinquent child' and to regulate the treatment and control of same."

Read first time and referred to Judiciary Committee No. 2.

By Senator Green:

Senate bill No. 60, A bill to be entitled "An Act to define dependent and neglected children, and to regulate the treatment of same."

Read first time and referred to Judiciary Committee No. 2.

By Senators Barrett and Meachum:

Senate bill No. 61, A bill to be entitled "An Act to amend Sections 93 and 94 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to school trustees and their duties."

Read first time and referred to Committee on Education.

By Senator Barrett:

Senate bill No. 62, A bill to be entitled "An Act to amend Section 50 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to school districts."

Read first time, and referred to Committee on Education.

By Senator Barrett:

Senate bill No. 63, A bill to be entitled "An Act to amend Sections 36, 37 and 40 of Chapter 124 of the Acts of the Regular Session of the Twenty-ninth Legislature, relating to county supervision of public schools."

Read first time, and referred to Committee on Education.

By Senator Alexander:

Senate bill No. 64, A bill to be entitled "An Act to amend Section 114 of Chapter 11 of the Acts of the First Called Session of the Twenty-ninth Legislature of the State of Texas, entitled 'An Act to regulate the elections and to provide penalties for its violation and to repeal the Acts of the Twenty-eighth Legislature of 1903, regulating elections, and to provide penalties for its violation and to repeal the Acts of the Twenty-eighth Legislature, regulating elections, general, special and primary and political conventions, approved April 1, 1903; Chapter 3, Acts of the Second Called Session of the Twenty-ninth Legislature of the State of Texas, being an act to amend Section 120 of Chapter 11 of the Acts of the First Called Session of the Legislature of the State of Texas regulating elections.'"

Read first time, and referred to Judiciary Committee No. 1.

By Senator Harper:

Senate bill No. 65, A bill to be entitled "An Act to create a State Text-book Board, and to procure for use in the public free schools of the State of Texas a series of uniform text-books; defining the duties of certain officers therein named, making an appropriation therefor, defining certain misdemeanors, providing for a bond for the faithful performance of the contract, and to cover liquidated damages for fraud or collusion and authorizing the Attorney General to bring suit therefor, and providing penalties for violations of the provisions of this act."

Read first time, and referred to Committee on Education.

By Senator Hudspeth:

Senate bill No. 66, A bill to be entitled "An Act requiring every corporation, manager, lessee, receiver, or owner of any street railway company owning and operating street or electric cars within the corporate limits of any city in the State of Texas, over the streets, alleys and avenues thereof, to provide separate cars or separate compartments for the accommodation of white and negro passengers, and to provide penalties for the violation thereof, making it a misdemeanor for the corporation, manager, lessee, receiver, or owner of any street railway company to violate the provisions thereof."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Stokes:

Senate bill No. 67, A bill to be entitled "An Act to amend Section 2 of an act approved May 11, 1905, creating the Jacksonville Independent School District, in Cherokee county, Texas, defining its boundaries, etc., which is Chapter 3 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature, so as to more particularly and accurately define and describe its boundaries."

Whereas, By an act approved May 11, 1905, which is Chapter 3 of the General Laws passed at the First Called Session of the Twenty-ninth Legislature, there was created and established in Cherokee county, Texas, an incorporation for free school purposes only, under the name of the Jacksonville Independent School District, which incorporation was intended to include all of the territory embraced within and included in common school district No. forty-six (46) of said county, as it then existed, and

Whereas, The metes and bounds contained in the second section of said act do not actually describe the territory of said common school district No. forty-six (46), within which said territory it was intended to create and establish said Jacksonville Independent School District; now, therefore, for the purpose of more particularly and accurately defining and describing the boundaries of said incorporation:"

Read first time, and referred to Committee on Education.

By Senator Holsey:

Senate Concurrent Resolution No. 1, Be it resolved by the Senate, the House concurring, That there be printed for the use of the House and Senate three hundred copies of the Texas Legislative Manual, which shall contain the Rules of the House, Rules of the Senate and the Joint Rules of the Senate and House, all of which shall be properly indexed; a list of the standing committees of the two houses, the names of the Senators and Representatives and their respective districts, the names of the officers of the House and Senate, and of the representatives of the press in attendance, the Constitution of this State and the United States; and the Committee on Rules of the House, acting with the Senate Committee on Rules, is hereby authorized and instructed to have said copies bound and printed as follows, to-wit: Two hundred copies to be bound in flexible Morocco covers at an extra cost of not exceeding 25 cents per copy above the cost of the same

books in flexible cloth, according to the specifications of the contract with the public printer. Three-fourths of such copies of each binding shall be for the use of the House and one-fourth for the use of the Senate, and they shall be paid for out of the contingent funds of the two houses, in the said proportions; provided, the said bound volumes be in the hands of the members of this House within thirty days from the passage of this resolution.

The resolution was read and adopted.

The Chair laid the following before the Senate:

Austin, Texas, Jan. 11, 1907.

Hon. Geo. D. Neal, President of the Senate, Austin, Texas.

Dear Sir: The United Daughters of the Confederacy will celebrate the 100th anniversary of the birth of General Robert E. Lee at 7:30 on the evening of the 19th instant (Saturday), to which the Honorable Senate and Honorable House of Representatives and the public generally are cordially invited, and the undersigned committee respectfully petition the Honorable Senate for authority to hold this public meeting in the Senate Chamber and respectfully ask that you present this request to the Senate at the earliest possible moment.

Very Respectfully,
MRS. J. D. ROBERDEAU,
MRS. ED. WILSON,
MRS. L. J. STOREY,
J. C. CARRUTH,
L. J. STOREY,

Committee.

Birmingham, Ala., Jan. 12, 1907.

Governor S. W. T. Lanham, Austin, Texas:

Cordial invitation is extended you and Legislature of Texas to visit Birmingham, occasion Southern Cotton Convention. Please transmit this invitation to Legislature.

COMMERCIAL CLUB.

Morning call concluded.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Jan. 14, 1907.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 3, Providing for a joint committee to ar-

range for the election of a United States Senator, and appointed the following on the part of the House:

Messrs. Bryan, Cobbs and Robertson.
House Concurrent Resolution No. 2,
Indorsing the action of President Roosevelt relative to the Brownsville outrage.

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Jan. 14, 1907.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 1, A bill to be entitled "An Act appropriating the sum of \$110,000 to pay the mileage and per diem of members and per diem of officers and employes of the Thirtieth Legislature, and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, Jan. 14, 1907.

Hon. Geo. D. Neal, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 2, A bill to be entitled "An Act appropriating the sum of \$20,000 to pay the contingent expenses of Thirtieth Legislature, and declaring an emergency."

Respectfully,
BOB BARKER,
Chief Clerk, House of Representatives.

SIMPLE RESOLUTION—CONSIDERATION OF.

Here Senator Terrell moved that the resolution providing for the Bailey investigation committee, and which was offered by Senator Senter on Friday and which was referred to Committee on Privileges and Elections be recalled from the committee and the committee discharged from further duties on this resolution, and Senator Terrell moved the previous question on the motion, which was seconded.

Senator Senter then moved to table the motion to withdraw the resolution from the committee.

The previous question was ordered by the following vote:

Yeas—19.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Chambers.	Paulus.
Green.	Smith.
Griggs.	Stone.
Harbison.	Terrell.
Harper.	Watson.
Hudspeth.	Willacy.
Kellie.	

Nays—10.

Glasscock.	Murray.
Greer.	Senter.
Grinnan.	Skinner.
Holsey.	Stokes.
Mayfield.	Veale.

Absent.

Faust.

The question then was on the motion to table made by Senator Senter, and on that motion Senator Stokes moved a call of the Senate, the motion being duly seconded.

The Chair ordered the roll called, the following Senators answering to their names:

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Murray.
Glasscock.	Paulus.
Green.	Senter.
Greer.	Skinner.
Griggs.	Smith.
Grinnan.	Stokes.
Harbison.	Stone.
Harper.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Faust.

Senator Chambers moved to excuse the absentees, and

Senator Senter raised the point of order that Senator Hawkins should be held as a member of the Senate, and the Chair ruled that he had no official notification of the resignation of Senator Hawkins.

The motion to excuse the absentees was then adopted by the following vote:

Yeas—22.

Alexander.	Brachfield.
Barrett.	Chambers.

Green.	Masterson.
Greer.	Meachum.
Griggs.	Paulus.
Harbison.	Skinner.
Harper.	Smith.
Holsey.	Stone.
Hudspeth.	Terrell.
Kellie.	Watson.
Looney.	Willacy.

Nays—7.

Glasscock.	Senter.
Grinnan.	Stokes.
Mayfield.	Veale.
Murray.	

Absent.

Faust.

Senator Terrell's motion to withdraw the resolution from the committee was adopted by the following vote:

Yeas—23.

Alexander.	Masterson.
Barrett.	Mayfield.
Brachfield.	Meachum.
Chambers.	Paulus.
Green.	Senter.
Griggs.	Skinner.
Harbison.	Smith.
Harper.	Stone.
Holsey.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—6.

Glasscock.	Murray.
Greer.	Stokes.
Grinnan.	Veale.

Absent.

Faust.

Senator Senter moved that the resolution be made a special order for today at 2 o'clock p. m.

Senator Meachum moved to table the motion, which motion was adopted by the following vote:

Yeas—17.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—12.

Glasscock.	Greer.
Green.	Griggs.

Grinnan.	Senter.
Holsey.	Skinner.
Mayfield.	Stokes.
Murray.	Veale.

Absent—Excused.

Faust.

Here Senator Looney moved that the resolution be laid before the Senate for consideration, which motion was adopted (see Journal of Friday for resolution in full).

Senator Looney offered the following substitute for the resolution:

Be it resolved, That the President of the Senate be and he is hereby authorized to appoint a committee of seven members, who shall elect a chairman and have them furnished the necessary clerks and other needed help which said committee shall meet at such time and place as may be designated by its chairman, and meet from day to day until its business may have been finished and its report filed. The object of said committee shall be to hear any witness or witnesses who may present themselves before or be summoned by said committee on any charge or charges filed by any person or persons against Senator Bailey which would affect his qualification as a Senator and render him unfit to serve in said capacity by reason of official misconduct or conduct that amounted to malfeasance in office, and after hearing any credible witness who may present what the committee shall deem evidence of sufficient weight to fairly raise an issue on a disputed point between Senator Bailey and his critics, the said committee shall, without delay, report to the Senate for its future action the evidence offered, together with the nature of the charge on which it is based and the scope of an investigation warranted by same, if any investigation, in the committee's judgment, be deemed justified. Said committee shall have power to administer oaths and summons and compel the attendance of witnesses and generally such powers as are usually conferred on like committees.

Signed—Looney, Alexander, Harbison, Barrett, Brachfield, Stone, Harper, Kellie, Smith, Chambers, Willacy, Meachum, Watson, Terrell, Hudspeth.

Senator Senter made the point of order that the substitute was out of order, in that it was not germane to the original resolution, and

Senator Glasscock also made a point of order that it took a two-thirds vote to call up the resolution out of its order, but the Chair held that the reso-

lution being a simple resolution and was in order.

The Chair overruled the point of order by Senator Senter.

Senator Senter moved that the Senate recess till 2 o'clock today, the motion being lost by the following vote:

Yeas—14.

Glasscock.	Mayfield.
Green.	Murray.
Greer.	Paulus.
Griggs.	Senter.
Grinnan.	Skinner.
Holsey.	Stokes.
Masterson.	Veale.

Nays—15.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Smith.
Chambers.	Stone.
Harbison.	Terrell.
Harper.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent—Excused.

Faust.

(Senator Willacy in the chair.)

HOUSE CONCURRENT RESOLUTION
—ADOPTION OF.

The Chair laid before the Senate, House Concurrent Resolution No. 3 (a resolution providing for arranging for the election of a United States Senator).

The resolution was read, and adopted.

RECESS.

On motion of Senator Holsey, the Senate recessed until 2 o'clock.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Neal, and the pending business, the simple resolution by Senator Senter, resumed.

During the discussion of the resolution, President Pro Tem. Skinner and Senator Barrett were called to the chair.

Pending the prolonged discussion by Senator Senter, Senator Skinner sent to the Secretary's table a letter from the Attorney General, and Senator Looney made a point of order that the communication was not germane at that time, and also the further point of order that Senator Senter was not discussing the merits of the resolution, etc.

The Chair overruled both points of order.

Senator Smith also made a point of order similar to the former one raised by Senator Looney, and the same was overruled.

The communication was read by the Secretary, and Senator Skinner asked unanimous consent to have same published in the Journal.

Senator Looney objected.

Senator Glasscock then moved that same be published in the Journal, but was ruled out on a point of order raised by Senator Chambers.

Pending prolonged discussion, Senator Holsey moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion was lost by the following vote:

Yeas—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Nays—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Pending further discussion on the question, Senator Holsey moved that the Senate adjourn until tomorrow at 9:30 o'clock.

The motion was lost by the following vote:

Yeas—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Nays—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

(Senator Brachfield in the chair.)

Pending further discussion, Senator Holsey moved that the Senate adjourn until tomorrow morning at 9:25 o'clock. The motion was lost by the following vote:

Yeas—11.

Faust.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Holsey.	Veale.
Masterson.	

Nays—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Glasscock.	Mayfield.
Grinnan.	

Pending further discussion, Senator Holsey moved that the Senate adjourn until tomorrow morning at 9 o'clock.

The motion was lost by the following vote:

Yeas—11.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Holsey.	

Nays—17.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Absent.

Grinnan.	Veale.
----------	--------

Here Senator Chambers made the point of order that Senator Senter was speaking for delay.

The Chair (Senator Brachfield) overruled the point of order.

Senator Chambers appealed from the ruling of the Chair.

The roll was called, and the Senate

refused to sustain the Chair by the following vote:

Yeas—9.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Senter.
Greer.	Stokes.
Holsey.	

Nays—18.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Chambers.	Paulus.
Griggs.	Skinner.
Harbison.	Smith.
Harper.	Stone.
Hudspeth.	Watson.
Kellie.	Willacy.

Present—Not Voting.

Terrell.

Absent.

Grinnan.

Veale.

Senator Stokes offered the following amendment to the substitute:

Amend by adding after the word "office," in line 13, the following: "And said committee shall require any person to testify before it whose name shall be presented to said committee in writing by any member of the Senate of this State."

STOKES,
GRINNAN.

Senator Skinner raised the point of order that the substitute could not, at this time, be amended.

The Chair sustained the point of order.

Question then being on the substitute for the resolution, and the same was adopted by the following vote:

Yeas—18.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Chambers.	Paulus.
Griggs.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—12.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Senter.
Greer.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Senator Skinner offered the following amendment to the resolution:

Amend the substitute by inserting after the word "to," in line 8 thereof, the following: "Investigate the alleged dealings, transactions and business relations of Senator Joseph W. Bailey with H. Clay Pierce, President of the Waters-Pierce Oil Company, the Waters-Pierce Oil Company, the Kirby Lumber Company, the Securities Oil Company of Beaumont, Texas, the Southwestern Oil Company of Houston, Texas, the Houston Oil Company of Houston, Texas, and also shall investigate all matters and things incident to or connected with the vouchers, drafts, notes, bills, telegrams, memoranda and papers alleged to be in possession of R. V. Davidson, Attorney General of Texas, and also shall investigate the charges against Attorney General Davidson to the effect that he entered into a conspiracy to reflect on the character of Senator Bailey, and also any other charges of any character whatever against said Davidson.

Said committee shall and the same is hereby vested with powers to issue process, summon witnesses, to take and have taken depositions in such manner and with such notice as it may order, to maintain order, and to force the production before it of any papers, letters, books and documents, and for the purpose of securing testimony it is hereby vested with all the powers now possessed by the district courts of this State, and each member of said committee is hereby vested with authority to administer oaths, but the method of procedure in gathering evidence, as well as in the prosecution of the work for which it is constituted, shall be within the discretion of the committee. Said witnesses shall be paid in the same manner and amount as is provided for witnesses summoned before the Senate or any of its committees. The session of said committee shall be open, and it is hereby authorized to hold its sessions at any place within the State of Texas and in the city of St. Louis and the city of New York, for the purpose of securing and taking such testimony of witnesses as can be procured to be brought before it at the Capital of this State, or which may be inaccessible to said committee without such sitting at others points than the Capital. The necessary traveling and personal expenses of said committee and each member thereof to be paid by this House out of its contingent fund upon accounts duly approved by the chairman of said committee.

The parties involved in said charges

and investigation shall be entitled to be represented before said committee either in person or by attorneys, or by both, and shall be entitled to participate in the conduct of the investigation with the same powers, duties and privileges as belong to any attorney at law representing parties in any of the courts of this State.

The report of said committee shall contain a correct and accurate stenographic transcript of all the proceedings had in and before said committee, including questions, answers, objections to evidences, rulings thereon, motion of members and disposition thereof, together with all remarks offered by members of the committee or others entitled to speak while the committee is in session; also a correct and accurate copy of all documentary evidences offered or used in evidence before said committee, together with such recommendations as the committee or any member thereof shall see fit and proper to make to the two houses of this Legislature, all of which shall be recorded at length in the Journals of this Senate.

SKINNER,
GREEN.

Senator Looney moved the previous question on the resolution, and the pending amendments, the amendments having been previously sent to the Secretary's table.

The motion was duly second, and was ordered by the following vote:

Yeas—17.

Alexander.	Meachum.
Barrett.	Murray.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—13.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Holsey.	

Senator Looney made the point of order on the amendment, that the subject matter of same had been disposed of in the original resolution.

The Chair overruled the point of order.

Senator Terrell moved to table the amendment, which motion was adopted by the following vote:

Yeas—17.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—13.

Faust.	Mayfield.
Glasscock.	Murray.
Greer.	Senter.
Green.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Holsey.	

Senator Skinner offered the following amendment:

Amend the substitute by inserting after the word "any," in line 9 thereof, the word "other."

SKINNER.
GREEN.

Senator Looney moved to table the amendment, which motion was adopted by the following vote:

Yeas—17.

Alexander.	Masterson.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—13.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Holsey.	

Senator Skinner offered the following amendment:

Amend the substitute by striking out the word "issue," in line 16 and the word "the," in line 17 thereof, and insert in lieu thereof the following: "In respect to any conduct, business relations or dealings of either Senator Bailey or Attorney General Davidson that would amount to official miscon-

duct, or would affect the qualification of either and render either unfit to discharge the duties of his office."

SKINNER,
GREEN.

Senator Looney moved to table the amendment, which motion was lost by the following vote:

Yeas—15.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Smith.
Chambers.	Stone.
Harbison.	Terrell.
Harper.	Watson.
Hudspeth.	Willacy.
Kellie.	

Nays—15.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.
Masterson.	

Question then being on the amendment, the same was lost by the following vote, the vote being a tie:

Yeas—15.

Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.
Masterson.	

Nays—15.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Smith.
Chambers.	Stone.
Harbison.	Terrell.
Harper.	Watson.
Hudspeth.	Willacy.
Kellie.	

Senator Skinner made a point of order that the Lieutenant Governor was in the Senate Chamber, and should cast the deciding vote.

The Chair (Senator Brachfield) stated he was not in the chair, and overruled the point of order.

Senator Skinner offered the following amendment:

Amend the substitute by striking out the words between the word "issue," in line 16, and the word "the," in line 17,

and insert in lieu thereof the following: "In respect to any conduct, business relations or dealings of Senator Bailey that would amount to official misconduct, or would affect his qualification as a United States Senator or render him unfit to fill said office."

SKINNER,
GREEN.

On motion of Senator Looney, the amendment was tabled by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Senator Skinner offered the following amendment:

Amend the substitute by striking out the words between the word "same," in line 20, and the first word in line 22.

SKINNER,
GREEN.

On motion of Senator Terrell, the amendment was tabled by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Senator Skinner offered the following amendment:

Amend the substitute by inserting after the last word thereof the following: "Provided, that if the House of Representatives of the State of Texas shall appoint to committee to investigate the issues, matters and things above mentioned in respect to Senator Joseph W. Bailey and Attorney General R. V. Davidson, the Senate committee shall act conjointly with such House committee."

SKINNER,
GREEN.

On motion of Senator Looney, the amendment was tabled by the following vote:

Yeas—17.

Alexander.	Meachum.
Barrett.	Murray.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.
Looney.	

Nays—13.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Senter.
Greer.	Skinner.
Griggs.	Stokes.
Grinnan.	Veale.
Holsey.	

Senator Murray offered the following amendment:

Amend the resolution by inserting after the words "malfeasance in office" the words: "or having received a fee or gift from any one before the time of the investigation (before the Twenty-seventh Legislature for his services in the readmission of the Waters-Pierse Oil Company into the State or Texas, or if Senator Bailey received or drew money from the Waters-Pierse Oil Co. or any one else to be paid out or in any way disbursed in the interest of the Waters-Pierse Oil Co. or the Standard Oil Co. in the State of Texas."

On motion of Senator Looney, the amendment was tabled by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

Senator Stokes offered the following amendment to the resolution:

Amend by adding after the word "office," in line 13, the following: "And the committee shall require any person to appear and testify about any matter relating to the charges which have been made against Senator Bailey; provided, the name of said person shall be presented to said committee in writing by some member of the Senate of this State."

STOKES.
GRINNAN.

On motion of Senator Looney, the amendment was tabled by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—14.

Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

The resolution, as substituted was then adopted by the following vote:

Yeas—18.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Meachum.
Chambers.	Paulus.
Griggs.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—12.

Faust.	Green.
Glasscock.	Greer.

Grinnan.	Senter.
Holsey.	Skinner.
Mayfield.	Stokes.
Murray.	Veale.

Senator Looney moved to reconsider the vote by which the resolution was adopted, and lay that motion on the table.

The motion was adopted by the following vote:

Yeas—16.

Alexander.	Looney.
Barrett.	Meachum.
Brachfield.	Paulus.
Chambers.	Smith.
Harbison.	Stone.
Harper.	Terrell.
Hudspeth.	Watson.
Kellie.	Willacy.

Nays—14.

Faust.	Masterson.
Glasscock.	Murray.
Green.	Mayfield.
Greer.	Senter.
Griggs.	Skinner.
Grinnan.	Stokes.
Holsey.	Veale.

NOTICE OF RESIGNATION.

The Chair laid the following before the Senate:

Austin, Texas, Jan. 14, 1907.

Hon. Geo. D. Neal, President of the Senate.

Dear Sir: This is to officially notify you of the resignation of Hon. A. S. Hawkins, as Senator from the Twenty-eighth Senatorial District of Texas.

The resignation on file in this office is dated December 21, 1906. Same was accepted by his Excellency, S. W. T. Lanham, Governor, on December 22, 1906.

Very truly yours,
O. K. SHANNON,
Secretary of State.

BILL SIGNED BY CHAIR.

The Chair (Lieutenant Governor Geo. D. Neal) gave notice of signing and did sign in the presence of the Senate after its caption had been read:

Senate bill No. 1, "An Act appropriating \$110,000, or so much thereof as necessary, to pay mileage and per diem of members and per diem of officers and employes of the Thirtieth Legislature, and declaring an emergency."

SPECIAL COMMITTEE APPOINTED.

In accordance with House Concurrent Resolution No. 3, the Chair appointed the following committee on the part of the Senate to arrange for the election of a United States Senator:

Senators Willacy, Hudspeth and Greer.

ADJOURNMENT.

On motion of Senator Hudspeth, the Senate adjourned until tomorrow morning at 9 o'clock.

APPENDIX.

PETITIONS.

Senator Chambers offered the following:

The State of Texas,
County of Franklin.

To the Hon. C. M. Chambers, State Senator for the Second District:

We, the undersigned citizens of Mt. Vernon and Franklin county, Texas, seeing and recognizing the urgent necessity of legislation by the Legislature of the State of Texas, which would have the effect, when passed by said Legislature, to regulate the shipment of intoxicating liquors into Territories which have adopted the local option law; and further believing, as we do, that the law as it now stands under the holding of our courts is wholly inadequate to properly regulate the shipment of intoxicating liquors by express companies under the C. O. D. system into local option territories, thereby rendering the local option law in localities where it has been passed by a vote of the people almost, if not quite a nullity; and believing, as we do, that a law might be passed by our Legislature, embodying substantially the same provisions of a law not long since passed by the Legislature of the State of Mississippi, relating to the subject of C. O. D. shipments by express companies into territories where the local option law is in effect; therefore, we respectfully ask and urgently request that you use all of your efforts as a member of the Thirtieth Legislature of this State to introduce and, if possible, pass a bill

embodying substantially the same provisions as the Mississippi law, before referred to, relating to the shipment by express companies, or other common carriers, C. O. D. shipments into local option territories. We believe that the passage of such a law, as the one before referred to, would effectually stop the shipment of so much intoxicating liquors into Franklin county and other local option territories, which we regard as very detrimental and disastrous to our town and county.

(Numerously signed.)

COMMITTEE REPORT.

Committee Room,

Austin, Tex., Jan. 14, 1907.

Hon. Geo. D. Neal, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 1, "An Act appropriating the sum of \$110,000 to pay the mileage and per diem of members and the per diem of officers and employes of the Thirtieth Legislature, and declaring an emergency,"

And find the same correctly enrolled.

MASTERSON, Chairman.

Senator Looney offered the following:

Whereas, The fact is being broadly and deeply recognized that our courts, as at present constituted, are not adapted to dealing justly, humanely and successfully with youthful offenders; and

Whereas, The beneficial and entirely satisfactory results flowing from the adoption of juvenile court laws in twenty-three States should be conclusive proof of their efficiency and value in correcting these defects; and,

Whereas, Recognizing this, the last Democratic State convention in its platform adopted a demand for effectual laws upon this subject; therefore, feeling that this is a question which not only touches the good of the State, but one in which all true women must be vitally interested, it is

Resolved, By the club women of McKinney that we petition our Representatives in the Legislature to lend their hearty and unqualified support to such action as may be taken by that body for the reformation of these defects.

Signed by Mesdames M. H. Garrett, H. A. Finch, et al.

**Sacred to the Memory
of
Capt. John T. Lytle.**

By Senator Hudspeth:

Whereas, On the 11th day of January, 1907, at his home in the City of San Antonio, there departed from this life a gallant ex-Confederate soldier, Captain John T. Lytle, Secretary of the Cattle Raisers' Association of Texas, and

Whereas, He braved the hardships of frontier life for fifty years, and did more to develop the West and the cattle industry than possibly any other one man in the State, and

Whereas, The Cattle Raisers' Association of Texas has sustained the loss of an efficient officer and valuable member and Texas a noble citizen, therefore, be it

Resolved, That the Senate of Texas mourns the loss of this noble Texas pioneer, and that a page be set apart in the Journal and dedicated to his memory, and that a copy of this resolution be sent to the family of the deceased.

The resolution was read and unanimously adopted.